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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. CR-07-559 JSW
)	
12 Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER FOR BAIL HEARING
13 vs.)	
)	
14 MICHAEL YOUNG,)	
)	
15 Defendant.)	
)	

16
17 STIPULATION

18 The parties hereby stipulate and agree as follows:

- 19 1. This case was pending before the Ninth Circuit Court of Appeals on the government's
20 interlocutory appeal of the district court's order granting a motion to suppress critical
21 evidence in the case. On July 14, 2009, the Ninth Circuit affirmed the district court's
22 order to suppress the firearm at issue;
- 23 2. Based on these changed circumstances (namely, success on appeal), Mr. Young hereby
24 moves the Court for a bail review hearing. The government has no objection to the Court
25 setting a bail hearing;
26

3. Defense counsel accordingly requests a bail hearing for Mr. Young at this Court's earliest convenience. Defense counsel will not be in California on July 31, 2009, which is this Court's next regular criminal calendar. As such, defense counsel respectfully requests a special setting for the detention hearing. Counsel for each side have conferred, and respectfully request Tuesday, July 28th as the date for the bail hearing, preferably in the morning. However, defense counsel will make herself available at any date and time this Court prefers;
4. AUSA Brian Lewis has no objection to setting a bail review hearing. He is also available on July 28th, 2009 and July 29th, 2009 in the morning, although the government plans to oppose Mr. Young's release pending a decision as to whether to request rehearing en banc.

IT IS SO STIPULATED.

DATED: 7/24/09

_____/S/_____
ELIZABETH M. FALK
Assistant Federal Public Defender

DATED: 7/24/09


_____/S/_____
BRIAN LEWIS
Assistant United States Attorney

[PROPOSED] ORDER

Based upon the aforementioned representations of the parties, it is hereby ORDERED that a further bail hearing in this matter be set on Thursday, July 30, 2009 at 10:00 AM.

DATED: July 27, 2009

THE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA


Judge Joseph C. Spero

JOSEPH C. SPERO
UNITED STATES DISTRICT COURT JUDGE